

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 09/484,799

Filing Date: 01/18/00


Applicant: Barker et al.

Group Art Unit: 1745

Examiner: Chaney, C.

Title: LITHIUM-BASED ACTIVE
MATERIALS AND PREPARATION THEREOF

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL in an envelope, addressed to: BOX CPA, Assistant Commissioner for Patents, Washington, D.C. 20231 on July 18, 2002, Express Label No.: ET413095348US.


Michael Ross

Registration No. 45,057

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TC 1700

Assistant Commissioner of Patents
Washington, D.C. 20231

LETTER TO THE DRAFTSMAN


Dear Sir:

In response to the Notice of Draftsperson's Patent Drawing Review (PTO-948) dated May 20, 2002, Applicant has submitted herewith twenty-two (22) sheets of formal drawings (23 figures). The drawings have been amended to comply with 37 CFR 1.84(c) and (g). No new matter has been added to the new formal drawings. Should anything further be required, the Draftsman is respectfully requested to telephone the undersigned at 702-558-1000 (x1071).

Respectfully submitted,

Dated: July 18, 2002
VALENCE TECHNOLOGY, INC.
301 Conestoga Way
Henderson, Nevada 89012
Telephone: 702-558-1000
Facsimile: 702-558-1310

By:


Michael Ross
Reg. No. 45,057

02-22-02

PATENT

CPA
1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Barker et al.



Attorney Docket No.: IL-1869

Serial No. : 09/484,799

Art Unit: 1745

Filed : 01/18/2000

Examiner: Chaney, C.

For : LITHIUM-BASED ACTIVE MATERIALS AND PREPARATION
THEREOF

Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number ET413095348US

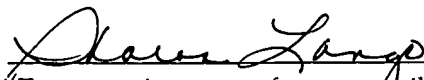
Date of Deposit: July 18, 2002

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I hereby certify that the following *attached*

1. Continued Prosecution Application (CPA) Request Transmittal (duplicate);
2. Revocation/Appointment of POA and Request for Change of Address
3. Preliminary Amendment (12 pages),
4. Letter to Draftsman and Formal Drawings (22 sheets)
5. Supplemental Information Disclosure Statements (s) dated 9/7/2001 and 10/11/2001 with (54) prior art documents.
6. Information Disclosure Statements, Form PTO-1449,
7. Express Mail Certificate
8. Return postcard

is being deposited with the United States Postal Service "Express Mail Post Office to addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box CPA, Commissioner for Patents, Washington, D.C. 20231.


(Type or print name of person mailing paper)

(Sharon Lango)

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| CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL | | |
|--|---|---------------|
| Submit an original, and a duplicate for fee processing. (Only for Continuation or Divisional applications under 37 CFR 1.53(d)) | | |
| Address to: Assistant Commissioner for Patents Box CPA Washington, DC 20231 | Attorney Docket No. of Prior Application | VT-1869 |
| | First Named Inventor | Barker, J.C. |
| | Examiner Name | Chaney, C.C. |
| | Group Art Unit | 1745 |
| | Express Mail Label No. | ET413095348US |

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09,484,799,
filed on 1/18/00, entitled Lithium-Based Active Materials and ...

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
.....
 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☒ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed: 07/24/2002 AMONDAF1 00000002 220100 09484799
 - ☒ PTO-1449 01 FC:131 740.00 CH
 - ☒ Copies of IDS Citations 02 FC:103 396.00 CH

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|---|---------|------------------|------------------|-------------------------------|------------------|
| TOTAL CLAIMS (37 CFR 1.16(c) or (i)) | | 42 -20* = | 22 | x \$ 18 = | \$ 396.00 |
| INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i)) | | 3 -3** = | 0 | x \$ _____ = | 0.00 |
| MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | | + \$ _____ = | 0.00 |
| | | | | BASIC FEE (37 CFR 1.16) | 710.00 |
| | | | | Total of above Calculations = | |
| Reduction by 50% for filing by small entity (Note 37 CFR 1.27). | | | | | |
| * Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent. | | | | TOTAL = | 1,106.00 |

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 22 - 0100:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☐ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☐ A check in the amount of \$ _____ is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☒ New Attorney Docket Number, if desired VT-1869
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☒ Other: Formal Drawings (22) sheets

NOTE:

The prior application's correspondence address will carry over to this CPA
 UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label

33204

(Insert Customer No. or Attach bar code label here)

or ☐ New correspondence address below

| | | | | |
|---------|-----------|----------|--|--|
| Name | | | | |
| Address | | | | |
| City | State | Zip Code | | |
| Country | Telephone | Fax | | |

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)

Michael A. ROSS

Signature

Registration No. (Attorney/Agent)

45,057

Date

July 18, 2002